THE HON'BLE SRI JUSTICE A.GOPAL REDDY

W.P.NO.7053 OF 2006

Dated: 13.4.2006

Between

P.Veeramani

..Petitioner

and

1.The Municipal Commissioner, Municipal

Corporation of Hyderabad, Tank Bund Road, Hyderabad

and others.

..Respondents.

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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Assignment.

It is contended by the learned counsel for the petitioner that the land is a patta

land and pattadar pass book was issued in favour of the petitioner and the respondent-authorities, without following the due procedure, digging a canal therein. Whereas, the learned Government Pleader for Assignment produced a letter stating that the entire land in Sy.No.89 of Shaikpet village is recorded as “Shikkam Sarkari” and they developed the tank and constructed a tank bund which is maintained by the MCH authorities.

These are all disputed questions of fact, which cannot be resolved in a writ petition filed under Article 226 of the Constitution of India. The petitioner is at liberty to move the competent civil Court and file a suit to safe guard her rights, if any, since the allegations made in para 7 of the writ petition discloses that some 3rd parties are interfering with her possession.

In view of the same, there are no grounds in the writ petiton warranting interference of this Court under Article 226 of the Constitution of India.

The writ petition is dismissed. However, the petitioner is at liberty to move an appropriate civil Court for redressal of her grievance.

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13.04.2006

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